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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,280	04/30/2001	Frank Thomas		3073

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EXAMINER

PASSANITI, SEBASTIANO

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 03/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/845,280

Applicant(s)

FRANK THOMAS

Examiner

Sebastiano Passaniti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 April 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-25 is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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### DETAILED ACTION

This Office action is responsive to communication received 04/30/2001 - application papers filed.

Claims 1-25 are pending.

Following is an action on the MERITS:

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 USC §103(a) as being unpatentable over Reach in view of Seisaku et al (JP Patent No. 405329233). Reach shows the invention substantially as claimed and includes an alignment means extending along a portion of the top surface of the head and continuing along onto the hosel segment. The alignment means is in the form of a line that is generally parallel to a plane containing the striking face. Reach, however, does not show the line extending onto the shaft portion in either a continuous or discontinuous fashion. The Japanese reference to Seisaku shows it to be old in the art to include an alignment means in the form of a line-shaped piece of tape along the shaft in a direction that is parallel to the face of the putter. In both Reach and Seisaku, the intent is to provide a golfer standing at address to more readily align the striking face with a ball and the target. Taken as a whole, the references to Reach and Seisaku collectively teach that an alignment means such as a line may be placed along a path parallel to the plane of the striking face to help a player

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orient the club at address. It would appear that the alignment is made facilitated by a line on either a combination of the head and hosel segments of the head or on the shaft itself. Clearly, placing the alignment means on both the head and the shaft merely enhances the alignment effect. The fact that the claims require a continuous or discontinuous line would not appear to patentably distinguish over a combination of Reach and Seisaku, since either design for the line would appear to equally provide an appropriate visual alignment tool which a golfer may use to properly place the putter head with respect to a golf ball at address. In view of the patent to Seisaku and the above reasoning, it would have been obvious to modify the device in the cited reference to Reach by extending the line (c) along the shaft (b), the motivation being to simply enhance the effect of the alignment means. With respect to claim 4, note that Reach teaches that the line (c) may be cast as a groove or simply painted on the surface of the head and hosel.

Claims 5-25 are allowable over the prior art references of record.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the alignment lines (4, 5) in Pepin. Sery shows lines (30, 40) of interest. Note weights (22, 23, 24) in Sebo. McAllister shows a plurality of apertures in the striking face that are covered by a transparent face plate. Raymont shows a honeycomb configuration in the face producing various apertures that may be covered with a plastic material. Allen proposes using a honeycomb face portion that is translucent. Sun shows a putter head that is covered entirely with a non-metallic shell material. The non-metallic shell material is molded over the carrier section of the main


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body and over the weights. Govan shows selective apertures that may be filled with weights as desired by a golfer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 703-308-1006. The examiner can normally be reached on Mon-Fri (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Sewell can be reached on 703-308-2126. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3579 for regular communications and 703-308-7768 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0858.

  
Sebastiano Passaniti  
Primary Examiner  
Art Unit 3711

s.Passaniti/sp  
March 7, 2002